

## **Newly Released Starr Material Blurs Impeachment Picture**

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**Highlight:** The House Judiciary Committee today released more than 4,000 pages of supplementary evidence in Ken Starr's investigation of the president. While nothing unexpected was revealed, the material did provide texture to the story behind the story leading to the Clinton investigation.

### **Body**

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WOLF BLITZER, HOST: Joining us tonight here in Washington is a member of the Senate Judiciary Committee, Senator Joe Biden. Then, we're joined by William McDaniel, attorney for senior Clinton adviser, Sidney Blumenthal. Plus, the son of literary agent Lucianne Goldberg and contributor to "National Review," Jonah Goldberg. From San Francisco, Republican strategist Ed Rollins and in Boston, famed criminal defense attorney Alan Dershowitz just ahead on LARRY KING LIVE.

Good evening and thanks for joining us. I'm Wolf Blitzer sitting in for Larry King.

The Tripp tapes are out but despite this unsavory wave of details about President Clinton and Monica Lewinsky, many congressional Democrats are taking a wait-and-see attitude.

(BEGIN VIDEO CLIP)

SEN. JOSEPH BIDEN (D-DE), SENATE JUDICIARY COMMITTEE: I hope for our nation's sake, not the president's, but for our nation's sake, that we don't follow the queen's directive in "Alice in Wonderland" to sentence first and verdict afterwards, and that we will make a wise judgment about the fate of the president after deliberate consideration.

(END VIDEO CLIP)

BLITZER: Joining us is the senator who made those remarks, Joe Biden of Delaware.

Senator, thanks for joining us on LARRY KING LIVE.

BIDEN: Thanks for having me.

BLITZER: What is your fear? That there will be an impeachment vote that will pass in the House of Representatives and it will come to the Senate to convict?

BIDEN: No, that's not my fear at all. My fear is that we're not going to act consistent with the Constitution. There seems to be no discussion about what the founders thought was the way we were to proceed, how we were supposed to consider this process. This is a big deal, Wolf. This is a big deal. BLITZER: Henry Hyde, the chairman of the House Judiciary Committee is, and I'm sure you'll agree, one of the most respected members of the House of Representatives.

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BIDEN: Well, I don't care if Henry Hyde is the Lord almighty. It seems to me we've had no discussion of what the context of an impeachment proceeding should be. This reminds me a little bit of that, sort of, that line in "Alice in Wonderland" where the queen says, "Sentence now, verdict later."

BLITZER: You said that on the Senate floor.

BIDEN: I did. Look, in 1974 I went to the Senate floor and I said, "You know, my plea today is for restraint." That was when Nixon was president. My plea today is for restraint. Let's understand what the Constitution is about. First of all, the founders were scared to death of even putting the notion of impeachment in the Constitution because they warned they were concerned about it being a partisan undertaking.

BLITZER: Forget about alleged crimes. Did the president of the United States disgrace the office he holds?

BIDEN: Of course he did. Of course he did. Now the real question to me...

BLITZER: Is that impeachable in and of itself?

BIDEN: That's the issue: is it impeachable? And the answer is it remains to be seen whether it's impeachable. They laid out -- look, there was a great debate in 18 -- excuse me 1787 and '88, and they said, "Hey, wait a minute. What we -- want to have only one thing in the Constitution." It said "impeach for bribery or treason." Then they said, "No, maybe we should go a little further than that." And they said, "How about maladministration?" And they said, "No, no, no. That's too vague. We don't to let this be subject to," as one person at the convention said, "We don't want this to be a rod in the hand of the Congress to be able to beat up a president." So they said, "Let's make it other high crimes and misdemeanors."

And so, I mean, we have all this talk, Wolf. You hear people saying, "Well if he committed perjury, clearly that's impeachable." Constitutionally speaking, not so.

BLITZER: But it's up to the House of Representatives to decide...

BIDEN: No, the House of Representatives doesn't have a damn thing to do with anything. All the House of Representatives has to do is be able to decide whether or not they want to bring articles of impeachment. It's up to the Senate to act as the judge and the jury, the trier of not only fact, but the trier of the law.

BLITZER: But it's up to the House to impeach and the Senate to convict. You're the jury. BIDEN: Well, no, no, no, no. Let's get this straight. We are not the jury. The more accurate analogy is the judge. For example, Tyler and Johnson were both -- went through the impeachment process in the House. In the case of Johnson, the Senate said, "Hey by the way, you know, he did exactly what you said he did, but it's not an impeachable crime." We in the Senate decide (a): whether or not the charge under which he is brought, even if he did what they said, is an impeachable offense. I'm just -- my plea is for us to understand the Constitution first and no one's talking about this.

BLITZER: Well, do you believe -- and you've studied this -- you're a member of the Judiciary Committee -- that simply disgracing the office of the presidency is an impeachable offense?

BIDEN: It could be. It could be.

BLITZER: So, even if the president didn't commit technically perjury or obstruction of justice, by so humiliating himself and disgracing his office that could be grounds for impeachment?

BIDEN: Only if it impacts on, in the a judgment of the Senate it is, if it impacts upon his ability to conduct his official business. If it's relate -- look, when this whole process was undertaken way back over 200 years ago, it was clear that what they were talking about was this notion of official misconduct. And whether or not there was official misconduct or he committed a private act that was so heinous that it -- that it impacted upon his ability to conduct his office.

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For example, it's clearly impeachable offense if a president showed up drunk every day in office, and we said he's not able to do his job. Conversely, if he perjured himself, that is not clearly an impeachable offense.

BLITZER: But, so on this particular point, you -- and what I'm hearing is you're agreeing with the Senate Majority Leader Trent Lott, that disgracing the office is potentially an impeachable offense?

BIDEN: Only if it impacts upon his ability.

BLITZER: Has it impacted on his ability to govern?

BIDEN: Well, so far, so far I don't see where it has, but that doesn't mean we couldn't conclude that it did. Right now, he's still conducting foreign policy. Right now, he's still conducting the business of the nation. Right now, he is in the business of being president.

BLITZER: Have you spoken to the president?

BIDEN: I haven't spoken to the president since the time he made his apology. He asked me whether I thought it was sufficient. I told him I did not think it was sufficient.

BLITZER: He called you at the time.

BIDEN: Well, I can't recall if I called him or if he called me, but I spoke to him. That's how many weeks now?

BLITZER: But look, that was August 17.

BIDEN: That, I think, is the last time I spoke to him about this issue and the only time I can recall speaking to him about this issue.

BLITZER: Isn't that unusual? He's spoken to many members of the Senate and the House.

BIDEN: Well, I made it real clear that I am not going to take a position because I think it would be a violation of the oath of office I took to be a trier of fact. If I'm about to be presented with a charge and I've already made up my mind -- it's a little bit like what's happening now. This notion that you're dumping -- they're dumping all of this evidence out there...

BLITZER: These documents. And we're going to be getting to them throughout the course of this program.

BIDEN: And let's understand, what they are are allegation and charges that were put forward by -- and statements by individuals sustaining or questioning the allegation of the charges by -- the special prosecutor. Now, have you had anything in response?

I mean, what -- it seems to me that the process is being demeaned, and I have great faith in Henry Hyde, but old Henry better get on the job because unless he figures out how to corral this, no matter what happens, even if the president should be impeached, history is going to question with whether or not this was just a partisan lynching or whether or not it was something that in fact met the standard, the very high bar that was set by the founders as to what constituted an impeachable offense.

BLITZER: Do you believe the House of Representatives with the current Republican majority will send this to the Senate for a trial?

BIDEN: I have no idea what those guys will do. I would no more second-guess that than I'd figure what the newspaper tomorrow is going to be.

BLITZER: And the White House strategy in dealing with this? What kind of grades are you giving the president and his team of advisers?

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BIDEN: I'm not in the business of grading the president or the Congress. I'm in the business of trying to convince my colleagues and others as to what the Constitution calls for, how the process should be conducted and how we get at the determination of whether or not, (a): this president should be impeached, and (b): whether or not he should be convicted if he's impeached.

BLITZER: When your colleague Joe Lieberman was on the Senate floor a few weeks ago making that very tough speech condemning the president's behavior, did you come out and support him?

BIDEN: Yes. By the way, I came out before Joe Lieberman said anything when I was asked by someone -- I got criticized heavily for it -- that if the president engaged in these acts was it immoral and was it reprehensible? I said, "Sure in hell it was immoral and it's reprehensible. And he's shamed the office, he has shamed himself, he has shamed the nation."

The question is: Is shaming himself, the nation, and the office sufficient to impeach him and throw him out of office and turn around an election? That is something that is the most serious undertaking the United States Senate can participate in or the House, and because it goes at the heart of whether or not the consent of the governed, their votes can be overturned and should be overturned. I am not saying it can't be. It's clear two things: One, to be convicted of an offense, it need not been a crime to be thrown out of office; and two, even if a crime were committed, it doesn't necessarily mean it's impeachable.

So what we've got to do is get down the ground rules here. I mean, people are talking about the Constitution like they're reading the Russian Constitution or some other document. I mean, it's not the Constitution that I've read, not the Constitution I teach, not the Constitution I study, and not how we conducted the first impeachment. Unfortunately, I've been here long enough -- this is to my great chagrin the second time around for me sitting as a senator sitting around wondering whether or not I am going to have to vote on convicting or not convicting the president of the United States.

BLITZER: All right, we're going to take a quick break. But, last question: Did you ever in your life think this would occur in the second term of the Clinton administration?

BIDEN: No, no. I never thought it would occur a second time in my lifetime.

BLITZER: All right. Joe Biden, it was kind of you to join us on LARRY KING LIVE. I know you're going to go, get back to Delaware.

BIDEN: I am.

BLITZER: Enjoy your weekend. We'll see you back here.

BIDEN: Thank you, very much.

BLITZER: And coming up, we'll have a panel discussion on the transcripts, the documents, these books that were released today; a fascinating panel discussion with William McDaniel, he's the lawyer for Sid Blumenthal; Jonah Goldberg; Ed Rollins; and Alan Dershowitz.

Stay with us on LARRY KING LIVE.

(COMMERCIAL BREAK)

BLITZER: Tonight, the transcript of Linda Tripp's tapes are ready to go. The transcripts are here in all of these documents. We have a panel discussion. Let's begin with Alan Dershowitz.

You're teaching a course on all of this at Harvard Law School. You just heard Senator Biden make the case that a crime doesn't necessarily have to be committed to impeach the president. And even if there were a crime, it's got to be a serious crime to convict the president and impeach him -- throw him out. Do you agree with Senator Biden's explanation?

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ALAN DERSHOWITZ, DEFENSE ATTORNEY: I think what he gave was a decent explanation but it was a little simplistic. I don't think we know the answer to the following question: What is the law of impeachment? And more importantly, who decides what is the law? It is plausible to read the Constitution to say that the House decides, by deciding what to impeach for and the Senate merely serves as fact finder.

There's still a third possibility -- maybe the chief justice has to play some role. After all, only in a presidential impeachment does the chief justice preside in the Senate. Maybe he, like a judge in a jury trial, reads the law. We don't know anything about how the impeachment process works because we've only had one for a president and it was a disaster historically and constitutionally.

The impeachment of Andrew Johnson practically every historian regards as a farce and thank God for Senator Ross from -- I think Kansas who showed a profile in courage by casting the deciding vote against removal which was a completely partisan impeachment and removal effort in 1860 something.

BLITZER: Would you agree that disgracing the office of the presidency could be enough to impeach a president?

DERSHOWITZ: It's interesting, you know, the Congress and the Senate has to read the Constitution and they're as sworn to uphold the Constitution as judges are. The Constitution uses words. It says treason, bribery, high crimes. Now disgracing the office doesn't fit any of those three.

The only thing it could possibly fit into is high misdemeanor. doesn't mean, like, a small crime. It means misconduct, high misconduct. So I think disgracing the presidency probably would not be enough. I think endangering the country through a course of action which was not criminal -- for example, if Filegate were to be proven I think that would be an impeachable offense even if not criminal because it's a total abuse and misuse of office in a way that endangers the liberty of all Americans.

BLITZER: Jonah Goldberg, have you had a chance -- I know you're in Nashville today -- have you had a chance to look through the transcripts of these tapes including the conversations that Monica Lewinsky had with Linda Tripp, yet?

JONAH GOLDBERG, "NATIONAL REVIEW": I put on my hip boots and went through a bunch of it, but you know, these things are endless so you may have something that I missed, but I at least started the process as they say.

BLITZER: Now your mother, Lucianne Goldberg, the literary agent for Linda Tripp, Monica Lewinsky's former friend over at the Pentagon, was on LARRY KING LIVE on September 23rd. Let's listen to an exchange she had with Larry that night.

(BEGIN VIDEOTAPE)

LUCIANNE GOLDBERG: She went to the independent counsel's office totally voluntarily. She was a big surprise to them. I mean, here this woman shows up with these tapes and -- and this extraordinary information.

LARRY KING, HOST: Were you the one that asked her to go there?

L. GOLDBERG: No I was not. I asked her to tape. I didn't ask her to go there.

KING: Do you know who advised her to go to Starr?

L. GOLDBERG: I think her heart and her soul advised her to go to Starr.

(END VIDEOTAPE)

BLITZER: All right, Jonah, your mother saying she had nothing to do with Linda Tripp going to Ken Starr's office to tell them about what she knew about Monica Lewinsky's relationship with the president of the United States. Now, in the documents released today -- and believe me, I have spent a big chunk of this day going through a lot of this -- there is one FBI report in there or raw FBI report which says -- and let me read to you specifically what it says,

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"Linda Tripp was put in touch with the office of independent counsel indirectly with the assistance of her literally agent from New York, New York. Tripp's literary agent and attorney are aware of her meeting and cooperation."

The suggestion here being that Lucianne Goldberg, your mother, made the initial contact between Linda Tripp and Ken Starr.

J. GOLDBERG: I had a brief opportunity to talk to my mom about this right before I came on. And my understanding is that she thinks that's slightly incorrect but you know, what if it's correct? I mean, I don't really understand the cosmic relevance of whether or not it's true. I don't think it is. You know, back in those days I was behaving like a lot of Clinton appointees and trying not to memorize timelines so I wouldn't get subpoenaed. So, I have to say I don't know if that's accurate. It doesn't sound accurate to me. But let's stipulate that it's true. I am not sure what it proves or why it would be relevant.

BLITZER: Let's ask Bill McDaniel, he's the attorney for Sid Blumenthal. He's a senior Clinton adviser. If in fact, Lucianne Goldberg made the contact between Linda Tripp and Ken Starr, is that relevant to anything?

WILLIAM MCDANIEL, SIDNEY BLUMENTHAL'S ATTORNEY: Yes, I think it is especially in conjunction with the facts that came out in these documents that Ms. Tripp was in contact with Paula Jones's attorneys long before anybody thought that to be the case -- back in 1997. It raises the question, as I think these documents do, of what it was that Ms. Tripp and Ms. Goldberg were doing? What it was they were planning on doing when they cooked this scheme up?

(LAUGHTER)

I also think it fits into his concerns -- that Kenneth Starr has -- as to whether these tapes have been altered or duplicated or something. It's pretty clear from the report that Starr's issued that he's got concerns about the bona fides of these tapes. And there is a grand jury investigation looking into this. There are very serious questions about what these people were doing and why they were doing it.

BLITZER: All right, Jonah, go ahead.

J. GOLDBERG: First of all, the notion that this is some sort of scheme. I don't know what my mom, I, Linda Tripp, Santa Claus, anybody could have done to get the president to solicit oral sex from Monica Lewinsky if she didn't want to do it and he didn't want to do it. Second of all, it wasn't a scheme. This friendship between Monica and Linda occurred long after the affair took place.

Third of all, this notion that somehow -- whether or not these tapes are under investigation or not -- first of all, I believe that Linda had nothing to do with -- people say doctoring and forging these tape -- neither of which are true. These tapes were out of her hands for a while after she had given them up to her lawyers. But you know, the evidence in this case -- this is another one of these distractions things that we get caught up into.

The evidence on this case comes from the wire that Linda wore at the Ritz Hotel. There is no allegation that tape has been forged. There is no allegation that tape has been doctored. I think Linda will be entirely vindicated. I'll be glad to come on here someday and have Mr. McDaniels say, you know, Jonah, you were right. Because there is no way that Linda had anything to do with doctoring those tapes. But those aren't considered evidence in this.

The evidence in this is the wire that Linda Tripp wore with Monica Lewinsky. And Monica Lewinsky I think very disturbingly in the grand jury has been trying to discredit specifically that tape. I think that may be a sign. Look I don't get messages through my fillings and I don't think the council of foreign relations makes the trains run on time -- I'm not a big conspiracy theorist -- but I do think that Monica Lewinsky lied to the grand jury, that there is still a cover up going on, and that when Monica Lewinsky says -- that everything she says on the wire that Ken Starr has is a lie, she's doing it to protect Bill Clinton.

BLITZER: We have to go to a break. Bill McDaniel will have a chance to respond. We'll bring back Alan Dershowitz -- and Ed Rollins. He's waiting patiently on San Francisco. He's going to be back as well. Stay with us on LARRY KING LIVE.

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(BEGIN VIDEO CLIP)

GREGORY CRAIG, WHITE HOUSE SPECIAL COUNSEL: Almost from the moment she was transferred to the Pentagon in mid 1996 Ms. Lewinsky tried to get a job back in the White House. The president was very aware of how much she wanted to return. Testimony in today's document release overwhelmingly demonstrates that not one member of the White House staff who testified believed that it was important to find Ms. Lewinsky a job.

If the president intended to secure Ms. Lewinsky's silence in exchange for a job, it was clearly in his power to do so, and to grant her precisely what she wanted. But the OIC simply ignores the plain fact that he did not because that fact thoroughly eviscerates the independent counsel's job for silence theory.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

BLITZER: Ed Rollins, out in San Francisco, a veteran political observer like you: the White House is trying to make the strategy the bad guys: Ken Starr, Linda Tripp. Is that strategy going to work to help the president get over this impeachment threat?

ED ROLLINS, REPUBLICAN STRATEGIST: Well, it's worked in the short run. It may not work in the long run. I think the critical thing is that both the Republicans and certainly Ken Starr did not have a PR strategy, and certainly were portrayed in very unfavorable lights.

I think the reality is that this is -- I agree with Senator Biden which I often don't -- this is such a serious issue that this thing had better be carefully done. And I think that the country is now involved in this whether they wanted to be or not. They now have all the evidence to look at whether they want it or not. And I think, piece by piece, the process has to be explained to them: what the House Judiciary Committee is going to do, what the Congress will do, and I think the reality, at this point in time, is that people can't be joyful. This can't just be a partisan issue where we couldn't beat Bill Clinton at the polls, but we're going to beat him up, or we're going to take him out in the Judiciary Committee, or the Congress, or in the Senate. And I think if they -- if that's the view that the country has, then I think this thing'll turn back on Republicans very severely.

BLITZER: Do you think the Republicans -- your fellow Republicans in the House of Representatives are acting too quickly right now, rushing all this material out, and moving quickly for an impeachment inquiry?

ROLLINS: It's easy to second-guess. My sense, if I was the strategist, which I have not been, I would have done it much more slowly, much more judicious. I would have, basically, taken the time to review.

I lived through Watergate, too. I was part of the Nixon administration. I saw a very long, drawn-out process, but in the end no one could question the process. They may not have liked the end result, and certainly there were some very partisan feelings for a long period of time, but the president, by his own words and by his own actions, was proven to not be fit for office.

I think in this particular case it's going to be extremely important that -- there's going to be critics of this process but at the same time -- that this be done in a very judicious effort.

BLITZER: Let me get to Alan Dershowitz in a second, but very quickly, Ed Rollins, because we have to take another commercial break in a second, very quickly, was this a good day for President Clinton today, releasing these volumes and volumes of documents?

ROLLINS: Well, my sense is everybody's pretty numb on this process at this point in time. It's a Friday. I don't think anybody really cares. It still depends on how it's played over the weekend, but I think, to a certain extent, some of the steam has come out of this rush to judgment. And I think the reality is that the House Judiciary Committee will probably vote next week to hold impeachment hearings, and I think we'll then go on and have an election. After the election we'll move the process forward again.

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BLITZER: All right, Alan Dershowitz, Bill McDaniel, Jonah Goldberg and Ed Rollins, stand by. We're going to take a break. We'll be right back with more of LARRY KING LIVE.

(COMMERCIAL BREAK)

BLITZER: Alan Dershowitz, among the transcripts released today was the testimony of Dick Morris, the president's former political adviser. They had a little falling out, as you obviously know, August 18th. Among other things, this is the advice that Morris recalls he gave the president shortly after the allegations surfaced in January. Morris telling the grand jury, quote, "Then we got into the forgiveness issue, and I said, 'The one thing you've got to avoid is getting trapped like Nixon into a rigid posture of denial, because that gives you no flexibility, no room to maneuver, and you get stuck, and presidents only get killed when they get stuck. But on the other hand, if you play this outside the foul lines and you really let it out, people are going to cut you slack on it.'"

Well, the president specifically, after this conversation with Dick Morris, did say flatly, "I had no sexual relations with that woman -- Miss Lewinsky." Did he not accept Dick Morris's advice?

DERSHOWITZ: Well, Dick Morris's advice was fairly good advice. It should have come a lot earlier. He should not have gotten himself locked into a position by testifying in the Jones case. He should have taken Vernon Jordan's advice, settled it, or my advice and defaulted it. He should never have made that finger-waving statement. He shouldn't have testified in front of the grand jury. You don't testify unless you're prepared to tell the absolute, complete, whole truth. Other than that you just let your lawyer try to wiggle or split hairs, but you're not the one who should be splitting the hairs. That was a terrible mistake that the president made.

BLITZER: If the president would have defaulted, some of his advisers felt at the time, that would have opened up the doors of a lot of other women making allegations -- the president defaulting -- he would go into bankruptcy pretty soon.

DERSHOWITZ: Totally fallacious argument, because there was already a report that they were prepared to settle the Jones case, which they said was frivolous, for \$700,000. If that \$700,000 pot of gold was out there, you don't need any more inducement. If he had defaulted the case, he probably would have had to pay less than \$100,000. So if he was prepared to settle, and that was out there, nobody more would have been induced.

But I wanted to say one more word about Starr. You know, you said that it was the Democrats who were putting the blame on Starr. As more of this information comes out, more neutral and objective people -- I can tell you a lot of my colleagues are very upset at Starr because he didn't provide in his referral information from his own witnesses which would have been exculpatory. For example, today evidence came out that Monica Lewinsky said she believed sexual relations did not include what she did. She testified that she was not promised a job in exchange for testimony, nor was she asked for lie -- to lie. None of that came out in the original referral, and that makes everybody look at the Starr referral as very one-sided, and a very bad way to begin going down this very, very serious road to an impeachment.

BLITZER: All right. We're going to continue this discussion and bring back Jonah Goldberg, and Ed Rollins, and Bill McDaniel. Of course Alan Dershowitz will stay with us for the balance of this half- hour. Stay with us on LARRY KING LIVE.

(BEGIN VIDEO CLIP)

CRAIG: In its zeal to prop up its allegations against the president, the Office of the Independent Counsel, in its referral to the House of Representatives, intentionally omitted direct exculpatory testimony, paraphrased unambiguous statements to obscure their plain meaning, and systematically resolved conflicting testimony in its favor.

(END VIDEO CLIP)

(COMMERCIAL BREAK)



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BLITZER: Welcome back. I'm Wolf Blitzer sitting in for Larry King.

We're joined by William McDaniel, attorney for senior Clinton adviser Sid Blumenthal, plus the son of literary agent Lucianne Goldberg and contributor to "National Review," Jonah Goldberg. From San Francisco, Republican strategist Ed Rollins and in Boston, famed criminal defense attorney Alan Dershowitz.

Bill McDaniel, Sid Blumenthal, his testimony was released today as well before the grand jury, specifically on June 25, 1998, a conversation that he reported to the grand jury that he had. Let me read an excerpt from what Sid Blumenthal told the grand jury:

Question: In your conversation with the president, when he stated that Monica Lewinsky threatened to disclose an affair or fabricate an affair in a public disclosure, did you understand him to be saying that if the president didn't concede or didn't agree to have some kind of sexual contact with her, than she would report an affair?

Blumenthal said, "my understanding was that she demanded to have sexual relations. He rejected her and she said that -- this is -- I recall him saying -- that, 'They call me The Stalker.' That's what Lewinsky said. 'And if I can say we had an affair, then they won't call me that,' something like that."

Obviously, Sid Blumenthal giving false information to the grand jury based on what he was told by the president or the first lady or someone in a position to convince him that Monica Lewinsky was simply lying.

MCDANIEL: Well, I think it's clear from the context that he was testifying about what the president told him, and what Sid was saying was what Sid believed to be the case. He was repeating what had been told to him. And I think it comes back to this thing professor Dershowitz mentioned a minute ago, and which apparently is borne out by the documents in the testimony, that Miss Lewinsky wanted the president to have sexual intercourse with her, and that's what was being talked about there.

I think what happened with Sid and the president is what the president told him was true, it just wasn't complete.

BLITZER: How can your client Sid Blumenthal continue to work for the president after the president so blatantly, directly looked him in the eye and lied to him just before he went to the grand jury, accumulated legal costs -- I'm sure that your hourly billing rate to Sid Blumenthal is not very cheap -- How can Sid Blumenthal continue to work for the president of the United States.

MCDANIEL: Well, I think he views the total man and the total context of what the president has been trying to do. He thinks the president made a mistake and made a mistake with him, but he also thinks the president has done good things and this administration has done good things, and he sees this as a very human failing in an area where many of us are prone not to be as frank about it as perhaps we would be about other matters.

BLITZER: Let me go just back to Alan Dershowitz for a second.

If the president of the United States deliberately lied to Sid Blumenthal and knowing that Sid Blumenthal was going to pass along those lies to a federal grand jury, isn't that a very, very serious allegation against the president of the United States?

DERSHOWITZ: It is a serious allegation. I have to tell you, I don't read the testimony that way. The way I read the testimony is that the president was saying this woman wanted to have sexual intercourse with me, she was stalking me. If I had sexual intercourse with her, she would stop being called a stalker. When you read Monica Lewinsky's testimony, that's exactly what happened. What you have to start with this "Alice in Wonderland" definition of "sexual relationship" which both the president seems to agree to and Monica Lewinsky seems to agree to. They both agree they didn't have sexual relations, they both agree she wanted to have sexual relationships. He conveyed that to many people, I suspect. Clearly, he was not being candid or frank, but that's the -- you know, I think it was Maureen Dawd who says, "He builds the alibi into the sex act itself." And that seems to be a very astute way of putting both the verbal and the sex games the president has been playing with himself and with his close colleagues.

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That is not, however, perjury or a crime.

J. GOLDBERG: But Alan, isn't it in the affidavit that was filed by Monica Lewinsky, doesn't she say -- isn't the affidavit that Bill Bennett filed, there was no sex of any kind, whatsoever?

DERSHOWITZ: No, no, no, no, no. You're misreading it. Here's what happened. The affidavit says there is no sexual relationship, and that's what she's talking about here in this testimony: She didn't have sexual relationship. Then Bennett, who I don't think did an adequate investigation before he represented and allowed his client to go in front of a deposition, Bennett says this affidavit means that there was no sex of any kind.

The president is then questioned during his grand jury testimony, "Didn't you hear Bennett say that? Didn't you feel an obligation to correct him?" He gives two answers. First, "I wasn't paying much attention." Second, "He was my lawyer, I wasn't his lawyer."

BLITZER: He also continued to say -- the president said -- it depends on how you define the word "is." He said there is no sexual relations meaning presumably in the present tense at that particular minute.

(CROSSTALK)

DERSHOWITZ: And there is a Supreme Court decision called the *Bronston* (ph) case which deals with "is" and "was" and probably the president was aware of that decision. Look, he was trying his best not to commit perjury, but -- he clearly acknowledged to mislead -- the question is, he failed in his efforts to keep the information secret -- we know that because it's come out -- Did he fail in his efforts not to commit perjury? We don't know.

BLITZER: All right. Jonah Goldberg we're going to bring you back as soon as we have this commercial break. We have to take this commercial break. Stay with us on LARRY KING LIVE.

(COMMERCIAL BREAK)

BLITZER: Welcome back to LARRY KING LIVE.

You're looking at these volumes. There are now five of these books that have been released. Three alone today. I tell you, I spent a lot of time reading it, and I'm going to need a new pair of glasses, like a lot of Americans, after they finish reading this -- as much of this -- these transcripts as they can, will need some new glasses.

Jonah Goldberg you've been studying. You've been observing. You've been part of this case almost from day one, part thanks to your mother, Lucianne Goldberg, who was a friend -- presumably, still is a friend -- of Linda Tripp.

Let me read to you one of Monica Lewinsky's e-mails to a girlfriend on November 4th, 1997. Remember, this is before Monica Lewinsky was formally told she was going to be asked to be a witness in the Paula Jones sexual harassment lawsuit against the president. In that e-mail, Monica Lewinsky wrote, quote: "Whoa, what a day. I met with the big creep's best friend this morning. He said, with regard to my job search, 'We're in business.' We'll see. He also said the creep had talked to him, and as I was leaving he said, 'You come very highly recommended.'" The big creep, of course is, a reference -- Monica Lewinsky's reference to the man she said she loved at one point, the president of the United States.

You've actually heard some of those tapes. We've got the transcripts now, but you've heard them. Tell us a little bit about this sort of love-hate relationship that you think Monica Lewinsky had with President Clinton.

J. GOLDBERG: Well, I mean, I think that gets to the sort of the real heart of a lot of scandal, perjury this, perjury that. I mean, I think there are cases of perjury, but I'm not going to get into an argument about that.

The heart of this, to me, has always been -- and I've listened to these tapes now -- I haven't listened to all of them; I've listened to the first two -- I listened to tapes over a year ago, now, and what struck me then, and still strikes me now, is that the president of the United States could have this sort of one-way, abusive, sexual relationship with an intern. I mean, this is a Mount Everest where it used to be that feminists used to scream about mole hills. And, you

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know, what you got from these tapes was that Monica Lewinsky sounded -- I've said this a thousand times -- she sounded like a unpopular high schoolgirl -- sophomore complaining that the captain of the football team abused her. And this is the president of the United States doing this.

And when people talk about whether these are high crimes and misdemeanors, I have to agree with Mr. Dershowitz and with Senator Biden that this is deadly serious, that we have to slow these things down, but at the same time it seems to me that, you know, when everyone bemoaned the government shutdown run by Newt Gingrich and all these things, people said it was such a horrible thing. We have been frozen -- this entire country's debate has been frozen for almost a year now to cover up this specific disgusting abusive sexual relationship between the president of the United States and an intern. And that, to me, maybe it's not high crimes and misdemeanors but it certainly warrants a hearing.

BLITZER: All right, Ed Rollins you once worked for Ronald Reagan. He was called the Teflon president. If he were the Teflon president, Bill Clinton must be the super Teflon president. He's managed, so far, to come through this with all of his poll numbers and the job approval rating in the 60s, and two-to-one -- more than two- to-one the American public still say they don't think he should be forced from office. How do you explain this Teflon ability that Bill Clinton has?

ROLLINS: Well, I think the president has lowered the standards. I think one of the disturbing things that I see is that an overwhelming majority of Americans think the president's been dishonest, which, traditionally, has always been the thing that does any political candidate in. They think he's dishonest about all this, but yet he's honest enough to be president. I think the standards have been lowered dramatically, and maybe it's because they think everybody in Washington is not honest, and I think that's a terrible, terrible detriment to the political system.

As I hear and read all this -- I mean what I can't understand is the president's judgment. This woman was an idiot. I mean, this was a woman who clearly should not have had any business in the White House as an intern, or Xeroxing, or anything, let alone be allowed in the Oval Office threatening the president in a sexual type thing. I just think he showed such incredibly bad judgment even having any relationship with her, which -- he had to pick up fairly quickly that she wasn't sane, and then, I think, lying about it, and forcing the White House to jump through all the hoops that he did, I think was just a terrible miscarriage of...

BLITZER: So you -- you think the behavior the president showed -- the recklessness that he showed, that in and of itself is enough to force his resignation or kick him out?

ROLLINS: No, well, I think to a certain extent resignation has to be his decision, and I think it comes down to whether he's going to be effective in carrying out the job. I have said on this show and other shows, I think impeachment is such a serious offense, we've never done it in the history of this country, there's been good presidents and bad presidents. I think the Congress has to really move slowly, and make sure if there is a case -- a serious case, that they make it, and make it in a way that the country feels better about it than it does today.

DERSHOWITZ: But I think the important thing is that Starr and the Congress should not be making the president incapable of governing. That is, it should not be part of their job, as Starr apparently thought it was part of his job, to release a report which in and of itself would embarrass the president so much -- would show the emperor without clothing, so that he then becomes incapable of governing, that takes the power of impeachment out of the hands of the Senate and puts it into the hands of an independent counsel. And that's what's so wrong with this process.

BLITZER: But Alan Dershowitz, are you among those -- like Joe Biden and others who are traditionally supporters of the president -- are you disgusted by Mr. Clinton's behavior? DERSHOWITZ: Look, it's none of my business. I don't think what -- in terms of his wife, it's none of my business. Monica Lewinsky is not a victim here. If the president abused Monica Lewinsky he only abused her by refusing to go further and having sexual intercourse. She was perfectly happy with as far as it went, but she wanted it to go further. It was a terrible mistake to get involved at all with this blabbermouth. He then showed very bad judgment thereafter.

But I just -- I can't get as upset as some of your people do about the sexual aspect of this thing because I know that the history of United States, for better or worse, has been a history of sex at high levels, and I'm much more worried

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about the kind of sexual McCarthyism that I remember J. Edgar Hoover using, and Joe McCarthy using when, by investigating the private sex lives of public officials, they tried to influence their conduct. That, to me, is the greatest fear that is posed by this investigation: a return to sexual McCarthyism.

BLITZER: All right, we're going to take another quick break. A lot more to discuss including more details released today in these documents. Stay with us please on LARRY KING LIVE.

(BEGIN VIDEO CLIP)

CRAIG: It was Linda Tripp, and only Linda Tripp, who suggested to Ms. Lewinsky that she demand a job in exchange for her affidavit. It was Linda Tripp, or Monica Lewinsky herself, who came up with the idea to ask Vernon Jordan for help in finding a job for Ms. Lewinsky. And fourth and finally, it is Linda Tripp who, in the tape recordings she made, can be heard actively engaging Ms. Lewinsky in discussions about how both could avoid testifying about Ms. Lewinsky's relationship with the president.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

BLITZER: Burlington, Ontario, please go ahead with your question.

CALLER: Yes, thank you for receiving my call. I was wondering if anyone on the panel felt the that method Mr. Starr went about in his investigation is more serious than the acts he uncovered and subsequently made public?

MCDANIEL: Yes, I certainly do. I think there was a widespread leaking of grand jury information by this prosecutor and it's gone on almost up until today. I think there was an attempt to intimidate people -- that he didn't like what they thought.

That gentleman from Maryland for example who contacted a public official to ask for an investigation of Linda Tripp which he had every right as an American citizen to do was hauled before Starr's grand jury to answer to Ken Starr for that exercise of his rights. I think there was a lot of prosecutorial conduct in this case that in long run is going to be a lot more serious for the country than anything that's been uncovered about the president.

BLITZER: Jonah Goldberg, I take it you disagree with Ken Starr's tactics?

J. GOLDBERG: You think I disagree with Ken Starr' tactics.

BLITZER: No, you disagree with what Bill McDaniels said about Ken Starr's tactics.

J. GOLDBERG: I think Ken Starr made some mistakes. I think mostly they had to do with political tenurism than anything else. The irony here -- Mr. Dershowitz brings up this notion of sexual McCarthyism. And I've been waiting for someone to give me a definition that makes any sense and Mr. Dershowitz's comes pretty close.

If we're worried about sexual McCarthyism the greatest purveyors of that by all accounts are the people in the White House now. This "scorched earth" policy -- we say what happened to Henry Hyde. I know Mr. Blumenthal denies that was him -- those kind of denials from him fall on deaf ears from me.

MCDANIEL: You've got no basis whatsoever to show that Sidney Blumenthal did that. If you do, why don't you state it right now. This campaign of innuendo that you and others engage in constantly really ought to stop. It poisons --

J. GOLDBERG: Poor Sidney Blumenthal one of the most reviled people in Washington -- my God.

MCDANIEL: Let me finish. I don't care whether he's reviled. I don't care what you think about him. The fact is this -- if you've got proof, come forward. If you don't have that proof why do you make these innuendoes? It's just outrageous.

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(CROSSTALK)

J. GOLDBERG: "Scorched Earth" policy came out of the White House.

MCDANIEL: You've got no proof of that either.

J. GOLDBERG: "Salon" magazine stands by it. "Salon" magazine is the one who went out at Henry Hyde. You can't have it both ways. If they say its a "scorched earth" policy and they say it comes from the White House, who are you to deny them.

BLITZER: Alan Dershowitz, go ahead.

DERSHOWITZ: It's in the nature of sexual McCarthyism this kind of thing always spreads. It can't be limited. Once you legitimate inquiry into the sex lives of public officials it's going to spread. It won't be limited to Democrat sex. It will by its very nature spread. That's what's so dangerous about it. Lets debate policies, lets debate issues of governance -- let's keep sex where it belongs. BLITZER: Ed Rollins it doesn't look like that's ever going to be the case in the United States at least in the foreseeable future. Sex is going to be part of the inquisition. If you want to run for office, you're going to be asked about your sex life.

ROLLINS: It certainly is going to be if you lie about it. I think the reality is it may be no one's business and you may have to say its no one's business. And political people have successfully done that. But don't be a hypocrite. Don't basically say you haven't done it, then ask the press or anybody else to go chase you.

DERSHOWITZ: Did you hear the report recently? There was a report recently that a Congressman who is running or a man running for Congress said he's going to take a loyalty oath swearing in advance that he never had any improper sexual relations -- is that what we're coming to now -- loyalty oaths?

ROLLINS: I don't think it is. And I think the reality is its certainly not going to benefit his campaign. But I thinks some voters have a right to, if they want to know what someone has done -- they can ask the question. I think the critical thing here though is, for four years Ken Starr tried to run an investigation of serious issues, serious charges.

I think this White House did everything it could possible to block and didn't cooperate. And I think the reality is that I wish he hadn't gone where he went, but he found evidence. And I think he's presented evidence. If the president has perjured himself or obstructed justice then it's up to the Congress to make him...

DERSHOWITZ: You know that Ken Starr actually started looking at reports about state troopers, well before the Monica Lewinsky case came up. He was looking for sex. The week he got appointed I was concerned because I know Ken Starr's background. I know how he was appointed. I know about the lunch meeting between Judge Sentelle (ph) -- the improper lunch meeting with Sentelle and two senators -- and that's why I was always concerned from the beginning.

(CROSSTALK)

ROLLINS: A year ago there was a stack of stuff this high sent to me about this president's sexual indiscretions when he was a governor. So it's always been out there and it's certainly his fault.

BLITZER: All right, we have to take a quick break. One final segment, some final thoughts coming up. Stay with us on LARRY KING LIVE.

(COMMERCIAL BREAK)

BLITZER: Jonah Goldberg, when Monica Lewinsky wrapped up her testimony before the grand jury, one of the grand jurors asked her if she had any final statement. She said this, "I would just like to say that no one ever asked me to lie and I was never promised the job for my silence and that I'm sorry, I'm really sorry for everything that's happened and I hate Linda Tripp." Her final words to the grand jury, a quote that Ken Starr did not include in his referral to Congress. The White House is now making a big deal about that, saying it was a one-sided, biased

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report. It was mistake for ken not to put that verbatim quote in his report, at least to pre-empt what would normally be a White House attack.

J. GOLDBERG: I think in 20/20 hindsight I think you're probably right, but at the same time, you know, I've said before, I think Monica Lewinsky's telling the truth when she says she's sorry and I think she's telling the truth when she hates Linda Tripp. But this thing isn't about Linda Tripp.

I mean, you know, my understanding is that deep throat, the guy who pretty much snitched out Nixon, you know, my understanding is he was a jackass and a really mean guy. What does that have to do with Richard Nixon being impeached? The same thing holds for Bill Clinton. Bill Clinton is responsible for these actions. Bill Clinton dispatched the entire White House to lie, Bill Clinton was the one who bulloxed up the machinery of government for eight months and defined deviancy down throughout this country. It ain't about Linda Tripp. I understand why people don't like Linda Tripp. I think Linda did what she did for what she thought were good reasons.

BLITZER: All right. Bill McDaniel?

MCDANIEL: Oh, I think there's a lot here about what Linda Tripp did. I mean, it's very odd to me that you've got a...

BLITZER: But she's not on trial.

MCDANIEL: Well, part of what's on trial, though, is how this investigation got started. A woman and her book agent? And when has a book agent ever figured in something like this? These people were looking for some type of book to publish, and they end up going to the prosecutor taping this poor woman. And there's a lot of evidence on these tapes that Linda Tripp was trying to get her to incriminate herself and was suggesting things, for example, "You ought to get Vernon Jordan to give you a job in return for an affidavit."

BLITZER: Well, let's return to where we started tonight. Alan Dershowitz, Lucianne Goldberg allegedly bringing Linda Tripp to Ken Starr. What if that were true, is that any big deal?

DERSHOWITZ: First of all, it's not the first time. Lucianne Goldberg was involved in the Klaus Von Bulow case. She worked with a man named David Marriott who made tapes in order to try to sell a book about Von Bulow.

J. GOLDBERG: David Marriott brought those tapes to us when I was...

DERSHOWITZ: I know, I know, I know, but wait a minute. The tapes turned out to be doctored. The tapes turned out to be fake and Lucianne Goldberg was in the background.

J. GOLDBERG: My mom never even represented her and never used her as a client. I mean, you represented a guy who killed somebody. DERSHOWITZ: Well, I can tell you -- he was found innocent -- I can tell you that David Marriott said that he was put up to it by Lucianne Goldberg.

J. GOLDBERG: David Marriott's a liar and a hustler and no one's ever heard from him for 20 years.

DERSHOWITZ: Yes. No, I agree with you, but Lucianne Goldberg's fingerprints go back a long time on book deals involving high-visibility cases. Let's at least be clear on that.

J. GOLDBERG: You go back with high-visibility criminals.

DERSHOWITZ: Yes, I do and I'm very proud of it.

J. GOLDBERG: Well, ditto.

BLITZER: We have to end it there. I want everybody to go home and read the rest of these documents; a lot of fascinating material out there. I want to thank all of our guests, I want to remind you Sunday on "LATE EDITION," I'll have Ross Perot as my special guest. I am Wolf Blitzer in Washington.

(BEGIN VIDEOTAPE)

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KING: Coming up next week on LARRY KING LIVE, join us for an interview with New Jersey governor, Christine Todd Whitman, recently been very vocal against President Clinton and Tuesday, the diva of the song, the divine Miss M., Bette Midler. She's got a new album. That and more next week on LARRY KING LIVE.

(END VIDEOTAPE)

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